

# PROSKAUER ROSE LLP

1585 Broadway  
New York, NY 10036-8299  
Telephone 212.969.3000  
Fax 212.969.2900

LDS ANGELES  
WASHINGTON  
BOSTON  
BOCA RATON  
NEWARK  
NEW ORLEANS  
PARIS

Deldre A. Grossman  
Attorney at Law

Direct Dial 212.969.3006  
degrossman@proskauer.com

August 8, 2006

## BY FACSIMILE

The Honorable Kenneth M. Karas  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 920  
New York, NY 10007

Re: Ello v. Singh, et al., Case No. 05 CV 9625

# MEMO ENDORSED

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/14/06
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Dear Judge Karas:

We represent Defendants Ishry Singh, Laborers-Employers Cooperation and Education Trust Fund ("LECET"), Mason Tenders District Council Trust Funds ("MTDC Funds"), Raymond Pocino, as Trustee of the MTDC Funds, and John Virga, MTDC Funds' Director, in the above-referenced matter.

We write to request an extension of time in which to respond to opposing counsel's letter to the Court dated August 5, 2006 (copy attached), served on the parties via ECF. As the letter purports to be a request for a pre-motion conference, separate from Plaintiff's request dated July 18, 2006 to which we already responded by letter dated July 25, 2006, our response would be due on August 10, 2006 pursuant to Your Honor's Individual Practices. We ask that this be extended by one week to Thursday, August 17, 2006. The reason for the request is that lead counsel, Kathleen M. McKenna, is on vacation and then out of the office until August 15, 2006.

We have tried to reach Plaintiff's counsel by both telephone and email to obtain her consent to the request. Unfortunately, her telephone line is constantly busy (suggesting a technical malfunction) and we have had no reply to our email message. Counsel for the Union Defendants has consented to this request.

PROSKAUER ROSE LLP

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August 8, 2006  
Page 2

We thank the Court for its consideration.

Respectfully submitted,



Deidre A. Grossman

cc: Ruth M. Pollack, Esq. (by fax)  
Terrance Reed, Esq. (by fax)  
Samuel Rosenthal, Esq. (by fax)

*Proskauer is given until August 17 to reply  
to Plaintiff's pre-motion letter dated August 5, 2006.*

SO ORDERED



KENNETH M. KARAS U.S.D.J.

8/9/06